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2 UNITED STATES DISTRICT COURT
3 DISTRICT OF NEVADA
4

5 CHARLES NELSON,

6 Petitioner,

7 v.

8 WILLIAM GITTERE, *et al.*,

9 Respondents.
10

Case No. 3:18-cv-00029-RCJ-CLB

**ORDER GRANTING MOTION FOR
EXTENSION OF TIME (ECF NO. 38)**

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12 In this habeas corpus action, the petitioner, Charles Nelson, represented by
13 appointed counsel, was due, after two 90-day extensions of time, to file a second
14 amended habeas petition by January 6, 2020. See Order entered July 8, 2019 (ECF No.
15 33); Order entered October 7, 2019 (ECF No. 37).

16 On January 6, 2020, Nelson filed a motion for extension of time (ECF No. 38),
17 requesting a third extension of time, of another 91 days, to April 6, 2020, to file his
18 second amended petition. Nelson's counsel states that the extension of time is
19 necessary because of the complexity of this case, the time it has taken for him to obtain
20 the record and research the case, and difficulties that have arisen between him and his
21 client. Respondents do not oppose the extension of time.

22 The Court finds that Nelson's motion for extension of time is made in good faith
23 and not solely for the purpose of delay, and that there is good cause for the extension of
24 time requested. The Court will grant the motion for a third extension of time.

25 However, in view of the amount of time that counsel will have had to file the
26 second amended petition – more than a year from his appointment -- the Court will not
27 look favorably upon any motion to further extend this deadline.
28

IT IS THEREFORE ORDERED that Petitioner's motion for extension of time (ECF No. 38) is **GRANTED**. Petitioner will have until and including **April 6, 2020**, to file his second amended habeas petition.

IT IS FURTHER ORDERED that, in all other respects, the schedule for further proceedings set forth in the order entered March 12, 2019 (ECF No. 22) will remain in effect.

DATED THIS 23rd day of January, 2020.

ROBERT C. JONES,
UNITED STATES DISTRICT JUDGE